

2024 Regular Session

HOUSE BILL NO. 550

BY REPRESENTATIVE AMEDEE

STUDENT/HOME STUDY: Terminates approval of home study programs by the State Board of Elementary and Secondary Education (BESE), provides for the enrollment of students in homeschools, and provides for one-time notification to BESE upon such enrollment

1 AN ACT

2 To amend and reenact R.S. 17:151.3(D)(3), 221(E)(3), 221.3(B)(1) and (2)(a), 232(C),

3 236(A), 236.2(A), 240(D), 3991(E)(2), 4002.3(3)(c), 4036.1(F), and 5023(B)(5)(d),

4 to enact R.S. 17:236.1(H), 236.4, 5029(F), and 5062(C)(7), and to repeal R.S.

5 17:170.4(A)(1)(c), 170.5(A)(2), 221(E)(1) and (2), and 351.1(A)(2), relative to

6 homeschooling; to provide for the termination of the approval of home study

7 programs by the State Board of Elementary and Secondary Education; to provide

8 relative to the authority of parents of children enrolled in homeschools; to require

9 parents to submit a single notification to the state board upon the enrollment of a

10 child in a homeschool and to specify the contents of the notification; to provide that

11 enrollment in a homeschool satisfies compulsory attendance requirements; to provide

12 relative to homeschool diplomas; to provide relative to eligibility for Taylor

13 Opportunity Program for Students awards; to provide for an effective date; and to

14 provide for related matters.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. R.S. 17:151.3(D)(3), 221(E)(3), 221.3(B)(1) and (2)(a), 232(C), 236(A),

17 236.2(A), 240(D), 3991(E)(2), 4002.3(3)(c), 4036.1(F), and 5023(B)(5)(d) are hereby

18 amended and reenacted and R.S. 17:236.1(H), 236.4, 5029(F), and 5062(C)(7) are hereby

19 enacted to read as follows:

1 §151.3. Kindergarten; establishment; entrance age; prerequisites

2 \* \* \*

3 D.

4 \* \* \*

5 (3) Nothing in this Section shall be construed to prohibit a child from being  
6 enrolled in and attending kindergarten ~~in a home study program~~ at a homeschool  
7 as provided in R.S. 17:236.4.

8 \* \* \*

9 §221. School attendance; compulsory ages; duty of parents; excessive absences;  
10 condition for driving privileges

11 \* \* \*

12 E.

13 \* \* \*

14 (3) No city, parish, or other local public school system shall be responsible  
15 for collecting and maintaining school attendance data for any child who is enrolled  
16 ~~in an approved home study program~~, a homeschool unless and until the parent  
17 subsequently enrolls the child in a public school under the authority of the public  
18 school system.

19 \* \* \*

20 §221.3. Student enrollment notification; required schools and programs; content

21 \* \* \*

22 B.(1) Every private school approved pursuant to R.S. 17:11, every  
23 nonapproved private school, every homeschool as provided in R.S. 17:236.4, and  
24 every publicly funded adult education program shall provide a written notification  
25 of enrollment for every student, as required in this Section, who had attended a  
26 public school immediately prior to their enrollment in the private school,  
27 homeschool, or adult education program.

28 (2) Such notification shall:

1 (a) Be provided for a student who has withdrawn from a public school during  
2 a given school year, as well as for a student who had attended a public school at the  
3 end of the previous school year and enrolled in a private school, homeschool, or  
4 adult education program the following school year.

5 \* \* \*

6 §232. Attendance records, principals' and teachers' duty to furnish; penalty for  
7 violation; pupil absence upon own authority prohibited; notice

8 \* \* \*

9 C. The provisions of this Section shall not apply to schools which receive no  
10 local, state, or federal funds or support, directly or indirectly, and in which neither  
11 students nor their parents are recipients or beneficiaries of any local, state, or federal  
12 education program or assistance. However, such schools shall be required to report  
13 to the state Department of Education their total attendance as of the thirtieth day of  
14 their school term or session except for homeschools, which shall report relative to  
15 attendance as provided in R.S. 17:236.4.

16 \* \* \*

17 §236. Definition of a school

18 A. For the purposes of this Chapter, a school is defined as an institution for  
19 the teaching of children, consisting of an adequate physical plant, whether owned or  
20 leased, instructional staff members, and students. For such an institution to be  
21 classified as a school, within the meaning of this Chapter, instructional staff  
22 members shall meet the following requirements: if a public day school or a  
23 nonpublic school which receives local, state, or federal funds or support, directly or  
24 indirectly, they shall be certified in accordance with rules established by the State  
25 Board of Elementary and Secondary Education; if a nonpublic school which receives  
26 no local, state, or federal funds or support, directly or indirectly, they shall meet such  
27 requirements as may be prescribed by the school or the church. In addition, except  
28 as otherwise provided in Subsection B of this Section, any such institution, to be  
29 classified as a school, shall operate a minimum session of not less than one hundred

1 eighty days. ~~Solely for purposes of compulsory attendance in a nonpublic school,~~  
2 ~~a child who participates in a home study program approved by the State Board of~~  
3 ~~Elementary and Secondary Education shall be considered in attendance at a day~~  
4 ~~school; a home study program shall be approved if it offers a sustained curriculum~~  
5 ~~of a quality at least equal to that offered by public schools at the same grade level.~~

6 \* \* \*

7 §236.1. Approval of home study programs; termination

8 \* \* \*

9 H. Notwithstanding any other provision of law to the contrary, the State  
10 Board of Elementary and Secondary Education shall terminate its process for  
11 approving home study programs on July 1, 2024, after which enrollment in  
12 homeschools shall be subject to the provisions of R.S. 17:236.4.

13 §236.2. ~~Home study program participants;~~ Homeschool students; admission to  
14 public schools

15 A. The State Board of Elementary and Secondary Education, hereinafter  
16 hereafter in this section referred to as the state board, shall adopt policies, rules, and  
17 regulations establishing procedures to be followed by ~~city and parish~~ public school  
18 boards in admitting or readmitting to the public schools any child who, during the  
19 preceding school year or any portion thereof immediately preceding his admission  
20 or readmission to the public schools, ~~participated in an approved home study~~  
21 ~~program pursuant to the provisions of R.S. 17:236.~~ was enrolled in a homeschool  
22 as provided in R.S. 17:236.4.

23 \* \* \*

24 §236.4. Homeschools

25 A. For purposes of this Section, a "homeschool" means a private course of  
26 instruction for a child directed by the child's parent through which a student may  
27 earn a high school diploma.

28 B. Within thirty days of enrolling a child in a homeschool, his parent shall  
29 provide a one-time notice to the State Board of Elementary and Secondary

1       Education. The notice shall list the parent's name and address and the number of  
2       students being enrolled in the homeschool.

3               C. A parent who enrolls a child in a homeschool is solely responsible for:

4                   (1) The educational philosophy.

5                   (2) The selection of instructional materials, curriculum, and textbooks.

6                   (3) The time, place, and method of instruction.

7                   (4) The evaluation of the instruction.

8                   (5) The student's graduation.

9                   (6) The issuance of transcripts and diplomas.

10               D. A homeschool is not subject to provisions of law applicable to other types  
11       of nonpublic schools except as provided by law.

12               E. Enrollment in a homeschool as provided in this Section satisfies the  
13       compulsory attendance requirements provided in R.S. 17:221.

14               F. For purposes of this Section, a "parent" is a parent, legal guardian, or other  
15       person residing within the state and having control or charge of any child of school  
16       age.

17               G. Notwithstanding any rule, regulation, or other provision of law to the  
18       contrary a high school diploma earned by a homeschool student shall be recognized  
19       and accepted by all state departments, agencies, boards, commissions, and all other  
20       state and local governmental entities and shall be accepted for the student's  
21       admission to a public postsecondary education institution if the student meets all  
22       other applicable admissions requirements.

23                               \*       \*       \*

24       §240. Prohibition against use of tobacco in schools; prohibition against smoking on  
25       school bus; rules and regulations

26                               \*       \*       \*

27               D. Nothing in this Section shall apply to a ~~home study program approved by~~  
28       ~~the State Board of Elementary and Secondary Education in accordance with the~~  
29       ~~provisions of R.S. 17:236.1.~~ homeschool as defined in R.S. 17:236.4.

30                               \*       \*       \*

1 §3991. Charter schools; requirements; limitations; renewal; amendment; revocation;  
2 board membership

3 \* \* \*

4 E. A charter school shall not:

5 \* \* \*

6 (2) Result from the conversion of any private school or any ~~home study~~  
7 ~~program, as defined in R.S. 17:236.~~ homeschool as defined in R.S. 17:236.4.

8 \* \* \*

9 §4002.3. Definitions

10 As used in this Part, the following terms have the following meanings unless  
11 the context clearly indicates otherwise:

12 \* \* \*

13 (3) "Eligible participating student" means any student who resides in  
14 Louisiana and meets one of the following criteria:

15 \* \* \*

16 (c) Is enrolled in a ~~home study program approved by the state board.~~  
17 homeschool as provided in R.S. 17:236.4.

18 \* \* \*

19 §4036.1. Learning pods

20 \* \* \*

21 F. This Chapter does not apply to or have any effect on any learning pod or  
22 other group of students that is formed and operated by parents, regardless of whether  
23 they are enrolled in a public school or a nonpublic school or ~~participating in a home~~  
24 ~~study program~~ homeschool as provided in R.S. 17:236.4.

25 \* \* \*

26 §5023. Residency requirements

27 \* \* \*

1 B. Except as provided by Subsection D of this Section, to be eligible for an  
2 award pursuant to this Chapter, a dependent student, as defined by the administering  
3 agency, shall meet one of the following requirements:

4 \* \* \*

5 (5) His parent or court-ordered custodian meets all of the following criteria:

6 \* \* \*

7 (d) He has remained a resident of Louisiana through the date of the student's  
8 graduation from high school, ~~or~~ completion of a home study program approved by  
9 the State Board of Elementary and Secondary Education, or graduation from a  
10 homeschool as defined in R.S. 17:236.4.

11 \* \* \*

12 §5029. Alternative initial eligibility requirements

13 \* \* \*

14 F. A student who graduates from a homeschool as defined in R.S. 17:236.4  
15 during the 2024-2025 school year or thereafter shall be eligible to receive an award  
16 pursuant to this Chapter if each of the following conditions is met:

17 (1)(a) The student has been certified by a parent or court-ordered custodian  
18 to have successfully completed at the twelfth grade level a homeschool program.

19 (b)(i) Any such student who has previously attended a Louisiana public high  
20 school or a nonpublic high school that has been approved by the State Board of  
21 Elementary and Secondary Education shall have begun his studies in the homeschool  
22 no later than the conclusion of the tenth grade year.

23 (ii) Any such student who has previously attended a Louisiana public high  
24 school, a Louisiana nonpublic high school, or an out-of-state high school shall be  
25 required to provide certification from the principal, headmaster, or other appropriate  
26 person at the high school previously attended that the student was in good standing  
27 at the time the student last attended such school.

28 (2) The student meets the requirements of R.S. 17:5022, 5023, 5027, and  
29 5028.

1           (3) The student meets either of the following criteria:

2           (a) The student meets the requirements of R.S. 17:5024 and 5025 or 5026.

3           (b)(i) For a student qualifying for an initial TOPS-Tech or Opportunity  
4 Award pursuant to this Subsection, the student has a composite score on the 1990  
5 version of the ACT which is at least two points higher than that required by R.S.  
6 17:5024(B) for the particular award or an equivalent concordant value on an  
7 enhanced or revised version of such test or on the SAT.

8           (ii) For a student qualifying for an initial Performance or Honors Award  
9 pursuant to this Subsection, the student shall have a composite score on the 1990  
10 version of the ACT which is at least one point higher than that required by R.S.  
11 17:5024(B) for the particular award or an equivalent concordant value on an  
12 enhanced or revised version of such test or on the SAT.

13   \*           \*           \*

14           §5062. Rules, procedures, and guidelines

15   \*           \*           \*

16           C. The administering agency shall provide the following:

17   \*           \*           \*

18           (7) Guidelines and procedures by which the administering agency may  
19 receive and consider an application for an initial award from an applicant who  
20 graduates from a homeschool who does not meet the requirements of R.S.  
21 17:5029(F)(1)(b)(i) if:

22           (a) The administering agency determines the applicant's move to a  
23 homeschool was precipitated by circumstances documented to be beyond the  
24 immediate control of the applicant.

25           (b) The applicant meets all other requirements of R.S. 17:5029(F).

26           Section 2. R.S. 17:170.4(A)(1)(c), 170.5(A)(2), 221(E)(1) and (2), and 351.1(A)(2)  
27 are hereby repealed in their entirety.

28           Section 3. This Act shall become effective on July 1, 2024.



## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 550 Engrossed

2024 Regular Session

Amedee

**Abstract:** Terminates approval of home study programs by the State Bd. of Elementary and Secondary Education and provides for the authority of parents with respect to homeschools.

Present law provides for the approval of home study programs by the State Bd. of Elementary and Secondary Education (BESE). Proposed law terminates BESE approval of these programs as of July 1, 2024, and instead provides for students enrolled in homeschools as follows:

- (1) Defines homeschool as a private course of instruction of a child directed by his parent through which a student may earn a high school diploma.
- (2) Requires parents, within 30 days of enrollment, to submit a one-time notification to BESE that includes the parent's name and address and the number of enrolled students.
- (3) Provides that parents are solely responsible for all aspects of the homeschool's educational program.
- (4) Exempts homeschools from present law applicable to nonpublic schools unless provided otherwise by law.
- (5) Provides that enrollment satisfies present law compulsory attendance requirements.
- (6) Provides for recognition of homeschool diplomas.
- (7) Applies present law relative to notification requirements for students who withdraw from public school to homeschool enrollment.
- (8) Provide that homeschool graduates may qualify for a Taylor Opportunity Program for Students award if they meet certain academic criteria and other requirements for initial award eligibility.

Proposed law applies present law to homeschools instead of approved home study programs as follows:

- (1) That nothing in present law relative to required kindergarten shall be construed to prohibit children from attending kindergarten at a homeschool.
- (2) The requirement that BESE provide by rule for homeschool students admitted or readmitted to public school.
- (3) That the prohibition on tobacco in schools does not apply to homeschools.
- (4) The prohibition against a charter school resulting from the conversion of a homeschool.
- (5) That homeschool students are eligible to participate in the Course Choice program.

(6) That present law relative to learning pods does not apply to homeschools.

Proposed law repeals the following present law as applicable to students enrolled in approved home study programs:

- (1) The requirement that 11-year-olds and 16-year-olds provide satisfactory evidence of current immunization against meningococcal disease.
- (2) The requirement that DOE provide influenza immunization information to parents.
- (3) The requirement that DOE notify local school boards relative to home study applications.
- (4) The requirement that BESE provide by rule for the supply of textbooks to home study students.
- (5) Duplicative compulsory attendance provisions.

Effective July 1, 2024.

(Amends R.S. 17:151.3(D)(3), 221(E)(3), 221.3(B)(1) and (2)(a), 232(C), 236(A), 236.2(A), 240(D), 3991(E)(2), 4002.3(3)(c), 4036.1(F), and 5023(B)(5)(d); Adds R.S.17:236.1(H), 236.4, 5029(F), and 5062(C)(7); Repeals R.S. 17:170.4(A)(1)(c), 170.5(A)(2), 221(E)(1) and (2), and 351.1(A)(2))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Revise definition of "homeschool".
2. Add provisions for students withdrawing from public school to enroll in a homeschool.
3. Add that homeschool diplomas shall be recognized by state and local government agencies and by public postsecondary education institutions if students meet other admissions requirements.
4. Add that homeschool graduates may be eligible for a Taylor Opportunity for Students (TOPS) award if they meet certain academic requirements and other requirements for initial TOPS eligibility.